

CONSTANTINE MARANTIDIS, CA Bar No. 173318
cmarantidis@lewisroca.com
G. WARREN BLEEKER, CA Bar No. 210834
wbleeker@lewisroca.com
KYLE W. KELLAR, CA Bar No. 294253
kkellar@lewisroca.com
LEWIS ROCA ROTHGERBER CHRISTIE LLP
655 N. Central Avenue, Suite 2300
Glendale, CA 91203-1445
Telephone: (626) 795-9900
Facsimile: (626) 577-8800

*Attorneys for Defendant and Counterclaim-Plaintiff
Delta Scientific Corporation*

Roya Rahmanpour (SBN 285076)
Roya.Rahmanpour@btlaw.com

BARNES & THORNBURG LLP
2029 Century Park East, Suite 300
Los Angeles, California 90067
Telephone: (310) 284-3880
Facsimile: (310) 284-3894

*Attorneys for Plaintiff and Counter-Defendant
Meridian Rapid Defense Group LLC*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MERIDIAN RAPID DEFENSE GROUP
LLC, a California limited liability
company,

Plaintiff,

vs.

DELTA SCIENTIFIC CORPORATION,
a California corporation,

Defendant.

Case No. 2:23-cv-07222-GW (PDx)

**JOINT STIPULATION FOR
LEAVE TO FILE SECOND
AMENDED ANSWER AND
COUNTERCLAIMS**

DELTA SCIENTIFIC CORPORATION,
a California corporation,

Counterclaim-Plaintiff,

vs.

MERIDIAN RAPID DEFENSE GROUP
LLC, a California limited liability
company,

Counterclaim-Defendant.

Hon. George H. Wu

655 North Central Avenue
Suite 2300
Glendale, CA 91203-1445

ROCA
LEWIS

1 Pursuant to Fed. R. Civ. P. 15(a)(2) and Local Rules 7-1 and 15-1,
2 Delta Scientific Corporation (“Delta” or “Defendant”) and Plaintiff Meridian
3 Rapid Defense Group LLC (“Meridian” or “Plaintiff”) (collectively, “the Parties”)
4 hereby stipulate and request leave for Defendant to file its Second Amended
5 Answer and Counterclaims.

6 **FACTUAL RECITATION**

7 WHEREAS, on August 31, 2023, Plaintiff filed its Complaint for patent
8 infringement against Defendant;

9 WHEREAS, on October 23, 2023, Defendant filed its Answer to the
10 Complaint;

11 WHEREAS, on November 10, 2023, Defendant filed its First Amended
12 Answer to the Complaint as a matter of course under Fed. R. Civ. Proc. 15(a)(1);

13 WHEREAS, on December 4, 2023, Plaintiff filed its Motion to Strike
14 Certain Affirmative Defenses and Dismiss Certain Amended Counterclaims
15 (Dkt. No. 28, the “Motion to Strike”);

16 WHEREAS, subsequent to the filing of Plaintiff’s Motion to Strike,
17 Defendant prepared its proposed Second Amended Answer and Counterclaims
18 adding additional affirmative defenses and counterclaims;

19 WHEREAS, for good cause, the Parties stipulate that Defendant be granted
20 leave to file its Second Amended Answer and Counterclaims. A copy of the
21 proposed Second Amended Answer and Counterclaims is attached as Exhibit A
22 and a compare version showing the proposed revisions is attached as Exhibit B;

23 WHEREAS, in light of the pending filing of Defendant’s Second Amended
24 Answer and Counterclaims, the Parties stipulate that Plaintiff’s Motion to Strike is
25 moot and request that it be withdrawn without prejudice and the hearing taken off
26 calendar; and

27
28

655 North Central Avenue
Suite 2300
Glendale, CA 91203-1445

LEWIS ROCA

WHEREAS, the Parties agree that Plaintiff's answer or other response to the Second Amended Answer and Counterclaims will be due no earlier than January 12, 2024.

REQUEST

WHEREFORE, upon good cause showing, the Parties respectfully request that the Court: (1) grant Defendant leave to file a Second Amended Answer and Counterclaims in form attached as Exhibit A; (2) deem Plaintiff's Motion To Strike withdrawn without prejudice and that the Court take the motion off calendar; and (3) order that Plaintiff's answer or other response to the Second Amended Answer and Counterclaims will be due pursuant to Rule 15, however, such response will not be due earlier than January 12, 2024.

IT IS SO STIPULATED.

Dated: December 21, 2023

Respectfully submitted,
LEWIS ROCA ROTHGERBER
CHRISTIE LLP

By /s/G. Warren Bleeker
Constantine Marantidis
G. Warren Bleeker
Kyle W. Kellar

*Attorneys for Defendant
and Counterclaim-Plaintiff
Delta Scientific Corporation*

Dated: December 21, 2023

BARNES & THORNBURG LLP

By: /s/Roya Rahmanpour
Mark C. Nelson
Roya Rahmanpour
Daniel Valenzuela
David Lisch
*Attorneys for Plaintiff
and Counterclaim-Defendant
Meridian Rapid Defense Group*

1 L.R. 5-4.3.4(a)(2)(i) Certification:

2 *All other signatories listed, and on whose behalf the filing
3 is submitted, concur in the filing's content and have authorized the filing.*

4 /s/G. Warren Bleeker

5 G. Warren Bleeker

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

LEWIS ROCA

655 North Central Avenue
Suite 2300
Glendale, CA 91203-1445